

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/23/2016

UNITED STATES OF AMERICA,

- v. -

ROBERT A. OLINS,

Defendant.

15 Cr. 861 (JMF)

**STIPULATION AND
ORDER**

WHEREAS, on or about May 12, 2016, ROBERT A. OLINS (the "Defendant") was charged in a five-count Superseding Indictment, S1 15 Cr. 861 (JMF) (the "Indictment"), with conspiracy to obstruct justice, in violation of Title 18, United States Code, Section 371 (Count One); obstruction of justice, in violation of Title 18, United States Code, Sections 1503 and 2 (Count Two); conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349 (Count Three); bank fraud, in violation of Title 18, United States Code, Sections 1344 and 2 (Count Four); and international money laundering, in violation of Title 18, United States Code, Section 1956(a)(2) and 2 (Count Five);

WHEREAS, the Indictment included forfeiture allegations as to Counts One through Four seeking forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, of all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses;

WHEREAS, the Indictment included a forfeiture allegation as to Count Five seeking forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(A), of all property, real and personal, involved in the commission of the offense, and all property traceable to such property;

WHEREAS, on or about June 6, 2016, the Defendant pled guilty to Counts One and Five of the Indictment and admitted the forfeiture allegations with respect to Counts One and Five of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, and to Title 18, United States Code, Section 982(a)(1)(A): (i) a sum of money equal to \$160,000 in United States currency, representing the amount of proceeds traceable to the commission of the offense charged in Count One, of which \$160,000 also represents the value of the property involved in the commission of the offense in Count Five (the "Money Judgment"); and (ii) all his right, title and interest in the following: a set of four giltwood wall brackets in the manner of Matthias Locke, the shelf supported by boldly carved C-scrolls, England, circa 1755, currently in the possession of Mallett, Inc., an antique dealer located at 929 Madison Ave, New York, New York (collectively the "Specific Property");

WHEREAS, on or about June 13, 2016, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (the "Order of Forfeiture"), which: (i) imposed a money judgment against the Defendant, in the amount of \$160,000.00 in United States currency, representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Indictment and the value of the property involved in the commission of the offense charged in Count Five of the Indictment ; and (ii) ordered the forfeiture to the United States of all of the Defendant's right, title and interest in the Specific Property;

WHEREAS, the United States thereafter published notice of the Forfeiture Order (the "Notice") on the official government internet forfeiture site, www.forfeiture.gov, with the first date of publication of the Notice being September 24, 2016;

WHEREAS, the Notice provided that any person other than the Defendant claiming an interest in the Specific Property must file a petition within sixty (60) days of the first date of publication, which is November 23, 2016 (the "Notice Period");

WHEREAS, non-party Mallett, Inc. and/or its affiliates (collectively, "Mallett"), through its counsel, has requested additional time to file a petition asserting an interest in the Specific Property;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Preet Bharara, United States Attorney for the Southern District of New York, Assistant United States Attorneys Christine I. Magdo and Andrea M. Griswold, of counsel, and Mallett and its counsel, Seward & Kissel LLP, as follows:


1. The time by which Mallett must file a petition, if any, asserting any interest in the Specific Property is adjourned to December 21, 2016.
2. The signature pages of this Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. The signature page may be transmitted by fax or by electronic file in PDF format, and such signatures shall be deemed equivalent to valid originals.

AGREED AND CONSENTED TO:

PREET BHARARA

United States Attorney for the
Southern District of New York

By:

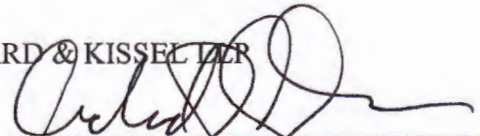

Christine I. Magdo

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11/15/16
DATE

SEWARD & KISSEL LLP

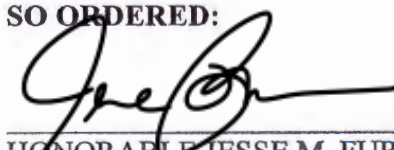
By:


Michael J. McNamara

Michael G. Considine
One Battery Park Plaza
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Tel: (212) 574-1200
Attorneys for non-party Mallett, Inc.

11/15/16
DATE

SO ORDERED:


HONORABLE JESSE M. FURMAN

UNITED STATES DISTRICT JUDGE

November 23, 2016

DATE